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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: patent application of:

Diana Amelia Normington

Application number: 10/701,873 Art Unit: 3724

Filed: 05 November 2003 Examiner: Carolyn T. Blake

For: A MACHINE FOR PIERCING SHEETS OF MATERIAL IN A VARIETY OF PATTERNS  
USING AN ADJUSTABLE APPARATUS

Commissioner for Trademarks and Patents

**RESPONSE TO RESTRICTION REQUIREMENT**

In response to the office action mailed 12/08/2004, please consider the following:

**REMARKS**

In response to the Restriction Requirement, the Applicant hereby provisionally elects the invention in species III (FIGS 5 and 6) for prosecution on the merits. Claims 1, 2, 3, 5, 9, 11, 12, 13, 16, 17, 18, 20, 23, 25, 26, 27, 30 and 31 read on the elected species. This election is made with traverse for the following reasons:

While there is no doubt that the species I (FIGS 1-3), species II (FIG 4), species III (FIGS 5 and 6) and species IV (FIG 7) are different in appearance, all are the same in function, that is, all are designed to punch or pierce sheets of material. All of the species listed above without the adjustable apparatus are also well known and used in the industry. The key to the invention is the adjustable apparatus, which is virtually the same for all of the above species. This adjustable apparatus can be incorporated as an integral part of any of the above listed species during manufacturing or it can be added to any of the species manufactured without benefit of the